

# **Training & Document Requirement Guide**

**PAM HURST, REGISTER**

**HAMILTON COUNTY, TN  
REGISTER'S OFFICE**

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## STANDARD CHECKLIST FOR DOCUMENTS

- ✓ Must be ORIGINAL document (must have original signatures and original notary seals). The only exception is if it's a certified copy, already recorded in another office.
- ✓ Prepared by (full name and address)
- ✓ Return to (Ex: MAIL, ENV, OR FILE \*) - If self-addressed envelope is attached, the document mail back must match the envelope. Every document must have a return to.
  - \* MAIL – If there is no return envelope enclosed
  - MAIL ENV – If a return envelope is enclosed. Self-stamped/addressed envelopes should have no date reflected in the postage stamp information.
  - FILE - If the “mail to” has a mail pick up box at the Register’s office

If no “return to” is listed, it will be whoever sent the document to us.

- ✓ Who signs it must be mentioned in the notary statement or acknowledgement. There are corporate and individual acknowledgements. If there are multiple acknowledgements, there must be a seal for each acknowledgement.
- ✓ Notary signature
- ✓ Notary commission expiration date (make sure it was signed before the expiration date)
- ✓ Notary Seal or Notary Stamp
- ✓ Pages should be in numerical order. Any exhibits go *after* the legal description, & *before* any riders.
- ✓ If document is a refile, there must be a reason why it's being refiled. This must be typed or written on the document. Also, a line should be drawn through the original validation stamp (on each page), & “refile” should be written by the new validation.
- ✓ If several related documents are to be recorded simultaneously & on the same receipt, the submitter needs to label the order in the upper left corner of each document , (ex: Warranty Deed (1), Deed of Trust (2), Assignment (3). These sets must be clipped together for recording purposes.
- ✓ Fee should match the check total.
- ✓ Any deeds with exempt parties as grantees do not require an oath.
- ✓ If document is to be rejected, proceed through the checklist to make sure everything is in order (so it won't have to be rejected again). An example of the document rejection letter is on page 14.

## MISCELLANEOUS NOTES

- ◆ **Stamped, self-addressed envelope:** All documents should be mailed with a stamped, self-addressed envelope, preferably at least a 6 x 9. It costs the same to mail a #10 envelope & a 6 x 9. The postage meter stamp should reflect no date. A dated stamp is only valid if it's mailed on the actual date the stamp shows. Since that factor is unknown, no date should be there.
- ◆ **Two inch margin at top of document:** When preparing a document for recordation - The Register strongly suggests leaving a two-inch margin at the top of the document, so the validation stamp does not cover up any pertinent information.
- ◆ **Signature spelling:** Any document showing a signature spelled differently than the typed name within the document, will be indexed both ways, the correct & the misspelled name. This includes any signature leaving off (or adding) Jr., Sr., or initials.
- ◆ **FKA & DBA:** FKA (formerly known as) & DBA (doing business as) will be indexed on all document types. The only exception is on releases. Formerly known as (FKA) will not be indexed on releases.

- ◆ **Copy Fees:**

Copies = .50 per page	Local fax copies = \$1.00 per page
Certified Copies = \$1.00 per page	Long distance fax copies = \$2.00 per page
UCC copies = \$1.00 per page	Plat copies = \$1.00 per page
Certified UCC copies = \$2.00 per page	Certified Plat Copies = \$5.00 per page

- ◆ **Abbreviations (for mail backs only) –**

Ave	Est	Pl	Chatt (Chattanooga)	IOM = Inter Office Mail
Blvd	Ests	Rd	Bham (Birmingham)	
Cir	Hwy	St	E Rdg (East Ridge)	
Ct	Ln	Sq	Ft Ogle (Fort Oglethorpe)	
Dr	Mtn	Trl	Sig Mtn (Signal Mountain)	
St	Pkwy			

- ◆ **War Records – DD214 – Discharge:**

For a certified copy, call (615) 313-2664 to make sure they have it.  
Send \$3.00 (Cash or Money Order made payable to "Military Dept")  
Must mail signed request (due to privacy act) to:  
WAR RECORDS  
P O BOX 41502  
NASHVILLE TN 37204-1502

ATTN: Georgia

## MISCELLANEOUS NOTES

(continued)

◆ Approved for charges:

CITY OF CHATTANOOGA  
CITY OF COLLEGE DALE  
CITY OF RED BANK  
ELECTRIC POWER BOARD  
HAMILTON COUNTY  
HAMILTON CO. WWTA  
INTERNAL REVENUE SERVICE  
RURAL DEVELOPMENT

TN DEPT OF ENVIRONMENT  
TN DEPT OF FINANCE  
TN DEPT OF HUMAN SERVICES  
TN DEPT OF LABOR  
TN DEPT OF REVENUE  
TN DEPT OF TRANSPORTATION  
US DEPT OF JUSTICE

◆ Do not require notary seals: According to the Notary Law Institute, the following states do NOT require seals:

CONNECTICUT	MICHIGAN
DELAWARE	NEW JERSEY
IOWA	NEW YORK
KENTUCKY	RHODE ISLAND
LOUISIANA	S CAROLINA
MAINE	VERMONT
MASSACHUSETTS	VIRGINIA

◆ 1 & 2 = Grantor & Grantee: When referring to these training notes (under each document type), the 1 and 2 listed represent the grantor/grantee for that document. The 1 will always be the grantor, lienor, assignor, etc. (who the document is from). The 2 will always represent the grantee, lienee, assignee, etc. (who the document is to).

◆ HCRS: Is an abbreviation for the Hamilton County Register's System, which went into effect on 10/1/2007.

## MISCELLANEOUS NOTES

(continued)

### ◆ Plat Books & Book Types:

Plat Book	Book Type
1-55	P0
56 Page 1-141	P0
56 Page 142 – 350	P1
57	P0
58 Page 1-108	P0
58 Page 109-200	P3
59 Page 1-84	P0
59 Page 85-400	P2
60	P3
61	P2
62	P2
63	P3
64	P2
65	P3
66	P2
67 – Present	P3

Use this format to search a plat in AE:  
Example: Plat Book 56 Page 1, type in:  
P0000560001

Example: Plat Book 56 Page 144, type in:  
P1000560144

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### ◆ Visa/Mastercard Payments:

If it's a credit transaction, a driver's license is required for identity verification.

If it's a debit transaction, no identification is required.



# **BASIC RULES OF INDEXING**

## **ABBREVIATIONS:**

The following abbreviations are always used:

& = AND

ASSN = ASSOCIATION (ASSOCIATES = ASSOCIATES)

BROS = BROS (BROTHERS = BROTHERS)

CO = COMPANY (COMPANIES = COMPANIES)

CORP = CORPORATION

INC = INCORPORATED

LTD = LTD (LIMITED = LIMITED)

No other words are to be abbreviated. In the grantor/grantee fields, the words mortgage, services, national, avenue, road, Tennessee, Georgia, etc. must always be spelled out.

## **PUNCTUATIONS:**

The hyphen is the only punctuation to be used.

If there is a hyphen, leave it. (Ex: Smith-Johnson, Mary Jane = Smith-Johnson, Mary Jane)

If there is an apostrophe, delete the space. (Ex: O'Malley = OMalley)

If there is a slash, leave a space. (Ex: Bank/First Citizens Bank = Bank First Citizens Bank)

If there is a period, leave a space. (Ex: Ditech.com = Ditech com)

# **BASIC RULES OF INDEXING**

(continued)

## **MISCELLANEOUS INDEXING RULES:**

If the document has 1<sup>st</sup> Trust Bank for Savings, it will be indexed as 1<sup>st</sup>. If it has First spelled out, it would be indexed as First Trust Bank for Savings.

If the document has 21<sup>st</sup> Century Mortgage, it will be indexed as 21<sup>st</sup>. If it has Twenty First spelled out, it would be indexed as Twenty First Century Mortgage.

If the document has U.S. Bank N.A., it would be indexed as U S Bank NA (leaving a space where the periods were on U.S.).

If it has US Bank N.A., it would be indexed as US Bank NA.

The following will always be put together, even if the document has periods between the letters:

FSB, LLC, NA, GP, & LP

If the document has L.P., it will be indexed LP.

If the document has Limited Partnership spelled out, it will be indexed spelled out.

If the document has N.A., it will be indexed NA.

If the document has National Association spelled out, it will be indexed as National Assn.

## **ON A UCC3 FORM:**

If the book # is 4970 or lower & the date is 11/3/1997 or before, it is a Fixture Release. No instrument # is needed.

If it has a number of C89480 & is recorded before 11/3/1997, it is a UCC Termination (U02). No instrument # is needed.

If the book # is higher than 4970, the document must have the instrument # and the book & page #.

If the instrument # looks like 1999110400001 – it is a Fixture Release (F08).

If the instrument # looks like C000001498 – it is a UCC Termination (U02).

## EXAMPLES

\*Acknowledgements are unacceptable if they are missing a signature, seal or commission expiration date!

### ◆ Individual Acknowledgement:

STATE OF

COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_ (*person/persons who appeared*), to me known to be the person \_\_\_\_\_ described in and who executed the foregoing instrument, and acknowledged that \_\_\_\_\_ (*he/she/they*) executed the same as \_\_\_\_\_ (*his/her/their*) free act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal.

\_\_\_\_\_  
(signature)

Notary Public

My Commission expires:

SEAL

---

### ◆ Corporate Acknowledgement:

STATE OF

COUNTY OF

Before me, \_\_\_\_\_ (Notary's name) \_\_\_\_\_ of the state and county aforesaid, personally appeared \_\_\_\_\_ (person/persons who appeared), with whom I am personally acquainted, and who, upon oath, acknowledged himself to be \_\_\_\_\_ (Title/Position) \_\_\_\_\_ of the \_\_\_\_\_ (Company Name) \_\_\_\_\_, the within named bargainor, a corporation, and that he as such \_\_\_\_\_ (Title/Position) \_\_\_\_\_, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as \_\_\_\_\_ (Title/Position) \_\_\_\_\_.

Witness my hand and seal, at office in \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(signature)

Notary Public

My Commission expires:

SEAL

## EXAMPLES

(continued)

### ◆ Power of Attorney Acknowledgement:

State of \_\_\_\_\_

County of \_\_\_\_\_

Before me, the undersigned Notary Public of the state and county aforesaid personally appeared (person/persons who appeared) to me known or proved to me on the basis of satisfactory evidence to be the person who executed the foregoing instrument in behalf of (person they're signing for) principal, and who acknowledged that he executed the same as the free act and deed of said principal as attorney in fact.

Witness my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(signature)

Notary Public

My commission expires: \_\_\_\_\_

SEAL

---

### ◆ Military Redact Acknowledgement:

State of \_\_\_\_\_

County of \_\_\_\_\_

Personally appeared before me, (person duly authorized to take acknowledgments), the within named (person/persons who signed request), with whom I am personally acquainted (or proven to me on the basis of satisfactory evidence) and who acknowledges that such person executed the within instrument for the purpose of making a request of the Register of Deeds of \_\_\_\_\_ County, Tennessee, to remove a military discharge record or redact a social security identification number from a military discharge record, excepting microfilm records.

Witness my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(signature)

Notary Public

My commission expires: \_\_\_\_\_

SEAL

## EXAMPLES

(continued)

### ◆ Max Statement:

“Maximum principal indebtedness for Tennessee recording tax purposes is \$\_\_\_\_\_”.

\_\_\_\_\_

### ◆ Preferred Oath of Value Statement:

\*Oath statement is unacceptable if it's missing the conveyed amount, signatures, seal or commission expiration date!

\*Oath statement cannot be older than 6 months.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$\_\_\_\_\_, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

\_\_\_\_\_  
(signature)  
Affiant

Subscribed and sworn to before me on this the \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(signature)  
Notary Public

My Commission Expires: \_\_\_\_\_

SEAL

## **EXAMPLE OF DOCUMENT REJECTION LETTER**

If a document is rejected, the following rejection letter will be returned with the document.

DATE: Date of rejection

TO: Company name & address

RE: Document type / John Doe / Check # 12345

A document must meet the following requirements to be recordable.

Missing name and/or address of person or firm who prepared the document. The return address must be on the document and should match any enclosed pre-addressed envelopes.

Instrument must be dated.

Name & address of Grantee must be set out (Deeds, Easements, Decrees – any document conveying property).

Name & address of person or firm who should receive tax bills (any document conveying property).

Missing map parcel number (Need on all documents conveying property). The easiest way to get this information is to call the Hamilton County Tax Assessor's Office at (423) 209-7300.

Missing legal description.

Missing prior title information – state the book & page, and the kind of document that is the source of title (Deed, Will, or Court Decree etc.)

On assignments, releases, and amended or modified instruments, give the book & page of the source document.

All refiled documents must state, on the front page of the document, the reason for refileing.

Missing signature of proper parties.

Each signature must be notarized.

Notary acknowledgement is missing names of parties who have signed document.

Notary acknowledgement is missing signature of notary.

## EXAMPLE OF DOCUMENT REJECTION LETTER

(continued)

Notary acknowledgement is missing notary's seal.

Notary acknowledgement is missing proper TN acknowledgement – Corporate or Individual.

Notary acknowledgement is missing date of acknowledgement.

Notary acknowledgement is missing notary's expiration date.

See page 2 for Correct Fees & Charges.

Any attachments or exhibits cited in document must be attached and labeled as exhibits.

Missing "Max Debt" statement. The statement should read, "Maximum principal indebtedness for Tennessee recording tax purposes is \_\_\_\_". (On amendments or modifications, enter only the amount of the increase, if there is no increase enter the original amount and state where taxes were paid).

Missing Oath of Value. The text of the oath is:

State of \_\_\_\_\_  
County of \_\_\_\_\_

I/we hereby swear or affirm that the actual consideration for this transfer or the value of the property transferred, whichever is greater, is \$\_\_\_\_\_, which amount is equal to or greater than that which the property would command at a fair and voluntary sale.

The oath needs to state the State of & County of, be dated, signed by the affiant, signed by the notary and state the notary's expiration date with their seal.

Please show the order in which you want your documents recorded.

Deed of Trust Amendment/Modification is short \$2.30.

Document needs to be filed in the correct County/State.

Trustee's Deed – amount sworn to in oath of value is much lower than the assessed property value. The Tennessee Department of Revenue requires that the amount cited in the oath of value be what was given or the value of the property, whichever is greater. The oath amount generally should NOT be the unpaid balance of the loan before foreclosure. Enclosed is the Tax Assessor's sheet which reflects the current property value.

## **DEED EXAMPLES**

Deed with Life Estate – GI 6075-600

QuitClaim Deed Reserving Life Estate – GI 6464-716

QuitClaim Deed Reserving Life Estate with stipulation (example: as long as she doesn't remarry or doesn't cease to occupy the property as her primary residence) – GI 5701-754

Warranty Deed in Lieu of Foreclosure – GI 6466-809

To Joint Tenants with Right of Survivorship – GI 6401-104

To Tenants in Common – GI 6401-469

To Tenants by Entirety – GI 6401-476

To Create Estate by the Entirety – GI 6077-141

To ½ Interest to one & ½ Interest to another– GI 6402-335

QuitClaim Deed from one party to another to create Tenants by Entirety – GI 6472-31

QuitClaim Deed from husband, to husband and wife, Tenants by the Entirety with the Right of Survivorship – GI 6469-202

QuitClaim Deed from one spouse to another, pursuant to divorce – GI 6470-260

QuitClaim Deed from one person to 3 people as tenants in common, with right of reversion, as to undivided ½ interest & to 2 people as tenants in common with right of reversion, as to an undivided ½ interest – GI 6471-54

QuitClaim from Living Trust – GI 6461-456

Warranty Deed from an unmarried man, to a husband & wife as joint tenants with the right of survivorship, & NOT as tenants in common with right of reversion – GI 6480-537

Warranty Deed by Power of Attorney – GI 6462-766



## **REGISTER SEARCH TIPS**

How things were searched before the conversion (how to look them up on microfilm) to Banner & how they are searched today.

The computer system contains information from 7/1/1969 forward.

Image information may be researched that is older than the index information of 7/1/1969.

### **Cemetery**

In the index books on microfilm, cemeteries were listed under a setout page for firms & corporations. (They are in the “C” tapes)

Starting 7/1/1969 in the computer system they are indexed under the name of the cemetery.

### **Charities**

In the index books on microfilm, charities were listed under a setout page for firms & corporations. (They are in the “C” tapes)

Starting 7/1/1969 in the computer system they are indexed under the name of the charity.

### **Church**

In the index books on microfilm, churches were listed under a setout page for firms & corporations. (They are in the “C” tapes)

Starting 7/1/1969 in the computer system they are indexed under the name of the church.

### **Lodges**

In the index books on microfilm, lodges were listed under a setout page for firms & corporations. (They are in the “L” tapes)

Starting 7/1/1969 in the computer system they are indexed under the name of the lodge.

### **Schools**

In the index books on microfilm, schools were listed under a setout page for firms & corporations. (They are in the “S” tapes)

Starting 7/1/1969 in the computer system they are indexed under the name of the school.

# REGISTER SEARCH TIPS

(continued)

## U S A-various departments

In the index books on microfilm, various departments of the government are listed under a setout page for firms & corporations. (They are in the “U” tapes)

Starting 7/1/1969 in the computer system they are indexed under the name of department. (ex: Department of Housing & Urban Development, Secretary of Housing & Urban Development, Rural Housing Service)

## Assignments

Assignments were indexed from the assignor to the assignee. (The borrower was listed in the legal field)

Now they are indexed from the assignor & the borrower to the assignee.

Indexing System to 10/31/1997

Asgmt-who executed D T was in legal

Banner Indexing System 11/3/1997 forward

Asgmt-who executed D T is a grantor

## Deed of Trust

Deeds of Trust were indexed from the borrower to the trustee.

Now they are indexed from the borrower to the lender.

Indexing System to 10/31/1997

D T-grantee was Trustee

Banner Indexing System 11/3/1997 forward

D T-grantee is beneficiary

5/22/2007      Deeds of Trust cannot have zero (0) in the max.

6/2007 Modifications must list an amount & list where taxes were paid.

    Fixture filings must list an amount.

6/28/2007    Exempt agencies can put zero (0) in the max.

# REGISTER SEARCH TIPS

(continued)

## **Subdivision Plats**

6/8/1998      We began listing owners name as a grantor.

12/16/2002    We began using prior titles & parcels.

Book P0 = Converted plats

Book P1 = 8.5 x 14

Book P2 = 18 x 24

Book P3 = 24 x 30

As of 10/2001, we only record 24 x 30.

## **Restrictions**

To 5/2000

Were from the undersigned

To restrs-“name of subdivision”

Change in indexing 5/31/2000

From the undersigned & the name of the subdivision

To restrs-“name of subdivision” & restrictions

(If it’s a waiver, we also index who it was granted to)

Restrs Waiver 7/20/1994 we started indexing who the waiver was granted to.

Change in indexing 2/5/2008

From the undersigned

To “name of subdivision”. If there is no subdivision, index the word “restrictions”.

## **UCC**

1/1992      We began entering UCC’s in computer system.

7/1/2001    No signatures required on any UCC form.

7/1/2001    We no longer record UCC’s unless they insist.

We still file UCC terminations.

D T fixture filings are on UCC forms and are still recorded.

# REGISTER SEARCH TIPS

(continued)

## Answers to frequently asked questions.

1. Liens are indexed in the computer from 10/1/1981.
2. /s/ then a typed name is an electronic signature (District Court)
3. WATA = whom acquired title as
4. JTWS = joint tenants with right of survivorship
5. u/w = under will of
6. aka = also known as
7. fka = formerly known as
8. nka = now known as
9. sbm = successor by merger
10. nmi = no middle initial
11. nmn = no middle name
12. New overage check policy implemented on 3/15/2004
13. Codes with a 50 or higher are converted data  
(ex: D55=Converted D T from 7/1/69-11/2/1997  
D05=D T from 11/3/1997 to present)
14. Register's Office moved from Rm 204 & Rm 104 to Rm 400 9/20/1996
15. Satellite Office opened 1/16/2001
16. Started electronically recording documents on 5/5/2006
17. The amount we want in the oath in a decree of redemption is what they "have now paid into the Court"

What is a stamp equivalent to?

We believe the stamps are worth \$1.10 per thousand.

Indexing System to 10/31/1997

Suc Tr-who executed D T was in legal

Sub Tr-who executed D T was in legal

Rel-Orig Mtg was in legal

Banner Indexing System 11/3/1997 forward

Suc Tr-who executed D T is a grantor

Sub Tr-who executed D T is a grantor

Rel-do not put Orig Mtg

Deed-pick up prior titles & parcel

6/12/1989      We began indexing notices of completion in the computer system.

7/1/1998      We began collecting a data processing fee of \$2.00.

1/3/2000      We began listing legal descriptions on releases & assignments.

7/2000      On Master Deeds we began listing the name of the subdivision as a grantor.

# REGISTER SEARCH TIPS

(continued)

## **Charters**

The round charter index was indexed into the system from 9/20/1999 & finished 2/16/2000.

5/12/1997 We took out punctuation in charters & began indexing them like other documents (corp, co & assn)

In converting the data into the banner system, all punctuation was removed from charters. The only punctuation used is the hyphen.

## **Military Discharges**

We indexed the military discharges in to computer system going back to 7/1/1969.  
The military discharges are not viewable with the internet access database information or images.

## **New Document Types**

D15-Trustees Deed 11/5/1997

We added 4 new document types on 4/20/2004.

R10-Release TN Dept of Revenue

R11-Release TN Dept of Labor

R12-Pt Rel Dept of Revenue

L07-Tax Lien TN Dept of Labor & Workforce

We added 3 new document types on 8/10/2005.

M05-Meth Lab Notice

M06-Meth Lab COF

M07-Meth Lab Rel

We added 1 new document type on 5/2006.

M04-Military-Redaction

We added 1 new document type on 2/27/2007

S05-Survey

## **REGISTER SEARCH TIPS**

(continued)

We added 2 new document types on 5/17/2007

We went back & converted some older recordings from Affidavit to the new document types.

Our first A11 is recorded on 7/27/2004.

Our first D18 is recorded on 7/14/2004.

A11-Scriveners Affidavit

D18-D T Scriveners Affidavit

On 5/17/2007 we stated they:

Must be headed scriveners affidavit-(doc type)

Must have grantor & grantee of original document.

Must state book & page reference

Must state type of document being recorded

(ex: warranty deed, quitclaim deed etc)

### **Our Indexing Systems**

Cott Indexing-the index books on microfilm.

Database Solutions-Computer indexing system from 6/12/1989 to 11/2/1997

Banner-Computer indexing system from 11/3/1997 to 9/28/2007

HCRS-indexing system from 10/1/2007 forward.

The first book & page in this new system for plat is P3 87-161.

The first book & page in this new system for documents is GI 8482-946 & was labeled instrument #2007100100075. The computer department did not reset it correctly.

Noted by: Vickie Schroyer, Register Deputy Clerk

10/18/2007

# **KNOWN EXEMPT & NOT EXEMPT TAX ENTITIES**

(Others may exist)

**Exempt entities may record Deed of Trust with Zero in the max debt.**

## **◆ Exempt:**

The following may be exempt from State Tax (mortgage or conveyance tax):

Chattanooga Ag Credit Assn

Chattanooga Gas Co

Chattanooga Housing Authority

Chattanooga Metropolitan Airport Authority

Distributors Insurance Co

Eastside Utility District

Electric Power Board

Farm Credit Services

Farm Credit Services of Mid-America FLCA

Farmers Home Administration

Federal Government (look up additional for departments specified)

Federal Housing Administration

- 1) As beneficiary on a mortgage or assigned beneficiary (simultaneous asgmt)
- 2) As grantee on a warranty, quitclaim deed or trustee's deed

Federal National Mortgage Assn aka Fannie Mae. \* (Federal Code 12 U.S.C.1723 (a) exempts Federal National Mortgage Assn as Grantee on a deed (not beneficiary on a deed of trust or mortgage) only.

FDIC – Federal Deposit Insurance Corp

Government National Mortgage Assn (12 USCS 1723a©)

Health & Educational Facilities Board

Home Equity Conversion Act Mortgage 67-4-409 (B) (1)

## **KNOWN EXEMPT & NOT EXEMPT TAX ENTITIES**

(continued)

Industrial Development Board 67-4-409 (F)

Mental Health Facility - - when the secured party is not the Tennessee Local Development Authority

National Consumer Cooperative Bank 12USC 3019, 67-4-409

Resolution Trust Corp

Small Business Administration aka SBA

Homekeeper Deed of Trust TCA 47 CHAPTER 30 (FNMA LOAN)

County Growth Plans are exempt from filing fees. 6-58-104(C)(2)

Generally, no person or entity, governmental or private, is exempt from the fee requirement. TCA 8-13-111

Municipalities

Revocable Living Trust (grantees on a deed) or individual/or plus spouse receiving Property from trust-if it was conveyed to trust by the same parties

Secretary of Housing & Urban Development (HUD)

Tennessee Housing Development Agency-THDA

1) As beneficiary on a mortgage or assigned beneficiary (simultaneous asgmt)

2) As grantee on a warranty, quitclaim deed or trustee's deed

Tenants by Entirety (creation or destruction of)

Tennessee Cooperative Marketing Assn TCA 43-16-145

Union Fork Bakewell Utility District

U. S. Department of Health, Education & Welfare as secured party on a deed of trust.

UTC

Veteran's Administration (VA)



# KNOWN EXEMPT & NOT EXEMPT TAX ENTITIES

(continued)

Volunteer Electric Cooperative

Volunteer Energy Cooperative

Note: A rider attached to a Deed of Trust that mentions the guarantor of the loan is tax exempt, does not exempt the recording taxes unless an assignment is recorded simultaneously with the Deed of Trust.

---

## **Known NOT Exempt Tax Entities**

(Others may exist)

### ◆ Not exempt:

Credit Unions

Mental Health Facility is not exempt when the Tennessee Local Development Authority is the secured party.

Orange Grove in Chattanooga

Tennessee American Water Co

10-2004 Mortgage Tax per Ron Fults, Attorney for CTAS revised copy revised 12/14/2004 in 1<sup>st</sup> paragraph under Not Exempt\*.

Federal National Mortgage Assn aka Fannie Mae. \* (Federal Code 12 U.S.C.1723 (a) exempts Federal National Mortgage Assn as Grantee on a deed (not beneficiary on a deed of trust or mortgage) only.

Student Loan Marketing Assn aka SLM Corp aka Sallie Mae

Federal Home Loan Mortgage Corp aka Freddie Mae 1-23-2007 – Susan Morris TNDeptRev

Note: These are privately owned, for profit entities under a federal charter. The intergovernmental immunity doctrine does not apply to these.

1) These entities are not exempt as the grantee on a warranty, quitclaim deeds with consideration in the oath of value or trustees deeds.

Customers may search for the Federal Home Loan Assn website & it should have links to other government sponsored corps that are private for profit entities.

The Tennessee Registers Assn has asked for a letter from CTAS to present to a customer when one has a question about this information.

## DOCUMENT CODES

Beside each document type is a book & page example of a document that has been recorded in Hamilton County, TN

A01	AFFIDAVIT - (Inheritance GI 6465-69 / Heirship GI 7543-208)
A02	AGREEMENT - (GI 8043-809) Negative Pledge Agreement (GI 5525-554)
A03	APPLICATION - (GI 6432-870)
A04	APPOINTMENT - (GI 5561-843)
A05	ASSIGNMENT OF DEED OF TRUST - (GI 6468-561)
A06	BLANKET ASSIGNMENT - (GI 8242-479)
A07	PARTIAL ASSIGNMENT - (GI 6362-248)
A08	ASSUMPTION - (GI 6468-189)
A10	AFFIDAVIT OF AFFIXATION - (GI 8346-899)
A11	AFFIDAVIT – SCRIVENERS – (GI 8348-818)
B01	BANKRUPTCY - (GI 8303-456)
B02	BILL OF SALE - (GI 7362-768)
B03	BOND - (GI 8073-860)
B04	BYLAWS - (GI 6113-966)
C01	CANCELLATION - (GI 7126-460)
C02	CERTIFICATE - (GI 6513-88)
C03	CHARTER - (GI 6468-589)
C04	CONTRACT - (GI 6399-643)
C05	CHILD SUPPORT LIEN - (GI 8224-786)
D01	CORRECTIVE DEED - (GI 6466-341)
D02	DECLARATION - (GI 6254-766)
D03	DECREE PROPERTY - (GI 6450-885)
D04	DECREE LIEN - (GI 6340-71)
D05	DEED OF TRUST - (GI 6462-633) FORM = GI 8458-590
D06	D T AMEND / MODIFICATION - (GI 8376-814)
D07	DISCHARGE / MILITARY SEPARATION (DD214) - (GI 6461-815)
D08	DISCLAIMER - (GI 3083-900)
D09	DISMISSAL - (GI 6019-557)
D10	MASTER DEED - (GI 5754-812)
D11	MASTER’S DEED - (GI 6408-827)
D12	QUITCLAIM DEED - (GI 8376-541) FORM = GI 8383-49
D13	R/W DEED (RIGHT OF WAY) - (GI 7786-888)
D14	TIMBER DEED - (GI 8200-242)
D15	TRUSTEE’S DEED - (GI 6470-136)
D16	VENDOR’S LIEN DEED / ASSUMPTION DEED - (GI 7800-217)
D17	WARRANTY DEED - (GI 6470-325)
D18	SCRIVENERS AFFIDAVIT – DEED OF TRUST – (GI 8341-808)
E01	EASEMENT - (GI 6465-19)

## DOCUMENT CODES

(continued)

F01 FT LIEN - (GI 6460-332)  
F02 FT NOTICE - (GI 6170-241)  
F03 FT PT RELEASE - (GI 6433-588)  
F04 FT RELEASE - (GI 6452-429)  
F05 FT REVOCATION - (GI 8318-252)  
F06 FT SUBORD - (GI 6463-362)  
F07 FIXTURE DEED OF TRUST - (GI 8377-540)  
F08 FIXTURE RELEASE - (GI 6473-581)  
F09 FIXTURE ASSIGNMENT - (GI 6427-529)  
F10 FIXTURE PT RELEASE - (GI 6453-467)  
F11 FIXTURE DT AMEND - (GI 8345-275)  
G01 GRANT - (GI 8049-852)  
J01 JUDGEMENT – PROPERTY - (GI 8031-212)  
J02 JUDGEMENT – LIEN - (GI 6475-134)  
L01 LEASE - (GI 6458-126)  
L02 LETTERS - (GI 5556-363)  
L03 LICENSE - (GI 7694-939)  
L04 LIEN - (GI 7446-154 & GI 7012-205) FORM = GI 8383-13  
L06 LIEN LIS PENDENS – (GI 8308-273)  
L07 TAX LIEN – TN DEPT. OF LABOR & WORKFORCE – (GI 8288-450)  
M01 MERGER - (GI 6503-562)  
M02 MINERAL - (GI 3745-467)  
M03 MOTION - (GI 4922-680)  
M04 MILITARY REDACT – (GI 8159-172)  
M05 METH LAB NOTICE – (GI 8374-289)  
M06 METH LAB CERTIFICATE OF FITNESS – (GI 8032-861)  
M07 METH LAB RELEASE – (GI 8125-576)  
N01 NOTICE - (GI 6467-31)  
N02 NOTICE OF COMPLETION - (GI 8377-720)  
O01 OPTION – (LIKE BILL OF SALE & CONTRACT) - (GI 6083-598)  
O02 ORDER PROPERTY - (GI 6467-599)  
O03 ORDER LIEN - (GI 6454-904)  
O04 ORDINANCE - (GI 6270-512)  
P01 PARTNERSHIP (SECRETARY OF STATE) - (GI 8366-751)  
P02 PETITION - (GI 8052-234)  
P05 PLAT – LARGE (24 X 30) - (P3 70-95) \*P03=Small & \*P04=Medium  
P06 POWER OF ATTORNEY - (GI 8352-782) & REVOCATION OF - (GI 7041-223)  
P07 PARTNERSHIP (GENERAL) - (GI 6117-699)  
Q01 QUALIFICATIONS - (GI 4356-856)

## DOCUMENT CODES

(continued)

R01 RELEASE - (GI 6473-770)  
R03 PARTIAL RELEASE - (GI 6472-312)  
R04 RESIGNATION - (GI 4482-180)  
R05 RESOLUTION - (GI 5551-358)  
R06 RESTRICTIONS - (GI 6468-837)  
R07 REVOCATION - (GI 5409-915)  
R08 RIGHT OF WAY - (GI 6256-828)  
R09 DT REINSTATE - (GI 6444-342)  
R10 RELEASE - TN DEPT. OF REVENUE - (GI 8319-268)  
R11 RELEASE - TN DEPT. OF LABOR - (GI 8322-670)  
R12 PARTIAL RELEASE - TN DEPT. OF REVENUE - (GI 8007-601)  
S01 SUBORDINATION AGREEMENT - (GI 6468-943)  
S02 SUBSTITUTE TRUSTEE - (GI 6468-586)  
S03 SUCCESSOR TRUSTEE - (GI 6470-616)  
S04 SUPPLEMENT - (GI 4818-604)  
S05 SURVEY - (GI 8459-225)  
T01 NOTICE OF STATE TAX LIEN - DEPT. OF REVENUE - (GI 6471-265)  
T03 TRUST - (GI 6468-762)  
U01 UCC (NEW) - (GI 6463-253)  
U02 UCC (TERMINATION) - (GI 6468-798)  
W01 WAIVER - (GI 6429-893)  
W02 WILL - (GI 6421-626)

## **AFFIDAVIT – A01**

May say: AFFIDAVIT OF HEIRSHIP (OR INHERITANCE)  
LOST ASSIGNMENT AFFIDAVIT

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Index legal description or address (if given)
- ◆ No book & page reference needed (unless it's a lost assignment affidavit)
- ◆ No max statement needed
- ◆ There are several types of affidavits. Some examples are...
  - ◆ **LOST ASSIGNMENT AFFIDAVIT –**
    1. Everyone (including who executed the Deed of Trust, who should've signed it, etc.)
    2. AFFIDAVIT

### **◆ AFFIDAVIT OF HEIRSHIP (OR INHERITANCE) -**

**It can be 2 ways, read the document...**

\* If the undersigned is related to the deceased, it would be...

1. Who signs it, any other heirs listed who did not sign & the deceased.
2. AFFIDAVIT

\* If the undersigned is NOT related to the deceased (neighbor, friend, etc.), it would be...

1. The deceased
2. The heirs

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **AGREEMENT – A02**

### **ASK-THESE CAN BE INDEXED DIFFERENT WAYS**

- ◆ Read through the document to make sure it's an Agreement. It may say something like "this is an agreement to create an easement" (it would be an Easement).  
If it's a Modification Agreement, it would be a Modification of a Deed of Trust.  
If it's an Assumption Agreement, it would be an Assumption.
- ◆ After you've determined it's an AGREEMENT...
- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ "Type of" = Description of agreement (Ex: Boundary Line, Maintenance, Negative Pledge, etc.)

1. Everyone
2. Agreement

### **OR**

- ◆ If it says it's an agreement by & between several people, it would be...

1. Everyone
2. Everyone

### **OR**

- ◆ If the document mentions a buyer & seller, it would be...

1. Seller
2. Buyer

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## APPLICATION – A03

(Also known as an Assessor's Greenbelt filing)

- ◆ Must have prepared by, return to name & address
  - ◆ Must be acknowledged
  - ◆ Must have a map parcel #
  - ◆ If it's a LAND APPROVAL application (greenbelt assessment - either agricultural or forest), it needs a legal description and/or an address.
  - ◆ Index source of title if listed
  - ◆ "Type of" will be either AGRIC or FOREST
  - ◆ If it's a LAND APPROVAL application, it would be...
    1. Property owners that sign and/or those listed on line # 1
    2. APPLICATION- & the application number (Ex: APPLICATION 526502)
- \*Application number is written on the top line of the block, beside Hamilton County.
- ◆ If it's NOT a LAND APPROVAL, ask.

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **APPOINTMENT – A04**

Read the document to be sure it's an appointment. If it is an Appointment of Substitute (or Successor) Trustee, it's indexed as an S02 or S03.

Once you've determined it's an appointment...

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

1. Who signs it
2. Who they're appointing

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## ASSIGNMENT OF DEED OF TRUST – A05

May say: CORPORATE ASSIGNMENT OF DEED OF TRUST  
TRANSFER & ASSIGNMENT  
REAL ESTATE LIEN ASSIGNMENT

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a max statement. It can be zero. If an amount is listed, it needs to state the book & page where taxes were paid.

1. Assignor & who executed Deed of Trust
2. Assignee

- ◆ Do not index book & page reference from the legal description, it will be the book & page of the Deed of Trust being assigned.
- ◆ Index legal description or address (if given)

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee  
\$5.00 for each additional reference

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## ASSIGNMENTS OF RENTS & LEASES – A05

\*One example is Book 8511 Page 949

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ No legal description needed
- ◆ No book & page reference needed
- ◆ Must have a max statement. It can be zero. If an amount is listed, it needs to state the book & page where taxes were paid.
- ◆ “Type of” will depend on the heading of the document. It will be one of the following:

RENTS & LEASES  
RENTS  
LEASES

1. Who signs it
2. Who conveying to (or transferring to)

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **BLANKET ASSIGNMENT – A06**

(Multiple grantors, with multiple separate Deed of Trust references, are being assigned to one company.)

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a max statement. It can be zero. If an amount is listed, it needs to state the book & page where taxes were paid.

1. Assignor & who executed Deed of Trust
2. Assignee

- ◆ Index legal description or address (if given)
- ◆ Do not index book & page reference from the legal description, it will be the book & page of the Deed of Trust being assigned.

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee  
\$5.00 for each additional reference

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **PARTIAL ASSIGNMENT – A07**

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a max statement. It can be zero. If an amount is listed, it needs to state the book & page where taxes were paid.
- ◆ Index legal description or address (if given)
- ◆ Do not index book & page reference from the legal description, it will be the book & page of the Deed of Trust being assigned.

1. Assignor & who executed Deed of Trust
2. Assignee

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee  
\$5.00 for each additional reference

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## ASSUMPTION – A08

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have “Seller is (or is not) released from liability”. It will either be written in the margin, or within the document. The fee will depend on whether they are (or aren’t) released from liability.
- ◆ If seller IS released from liability, it must have a max statement (it is taxable)
- ◆ Must have Book & Page reference (of the Deed of Trust they’re assuming)

1. Everyone (Individuals & Bank)
2. Everyone (Individuals & Bank)

\* If seller is NOT released of liability, it will be:

\$5.00 per page (If 1 page, it’s \$10.00)  
\$2.00 data processing fee

\* If seller IS released of liability, it will be:

\$5.00 per page (If 1 page, it’s \$10.00)  
\$2.00 data processing fee  
\$1.00 probate fee  
and...  
Mortgage amount multiplied by .00115

- ◆ If it’s a multi-functioning document, it’s \$5.00 for each ADDITIONAL function.

## **AFFIDAVIT OF AFFIXATION – A10**

FORM CAN BE FOUND AT [www.hamiltontn.gov/register](http://www.hamiltontn.gov/register) (Mobile Home Affidavit)

- ◆ Must have prepared by, return to name & address
- ◆ Must have the names of legal owners of manufactured home & real property to which it's being affixed
- ◆ Must have description of the manufactured home (ex: Manufacturer's Name, Model, Length/Width, Serial #)
- ◆ Must have property address & legal description
- ◆ Must be acknowledged

1. Who signs it
2. AFFIDAVIT

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **AFFIDAVIT-SCRIVENERS – A11**

(If it's correcting a Deed of Trust, see D18)

See page 40 for details

- ◆ Document must be titled: Scriveners Affidavit – Document Type  
(ex: Scriveners Affidavit – Warranty Deed)
- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have grantor/grantee names. If correcting grantor/grantee, it must show the way it was on the original document and the corrected way.
- ◆ Must have book & page of document being corrected
- ◆ Must have a legal description when correcting a document that requires a legal description
- ◆ Document being corrected does not need to be attached as an exhibit
- ◆ Type of = type of document being corrected

1. Who signs it & the grantor mentioned in the affidavit.  
If correcting grantor name, index it both ways
2. Grantee mentioned in the affidavit.  
If correcting grantee name, index it both ways

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$5.00 for each additional reference

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **SPOTLIGHT ON CURRENT ISSUES**

From: The University of Tennessee at Chattanooga  
County Technical Assistance Service

**August 8, 2007**

### **LEGISLATIVE UPDATE FOR REGISTERS OF DEEDS**

#### **Public Chapter 116 (Scrivener's Error Affidavit)**

Under T.C.A. 66-22-101, documents must be authenticated as a condition of recording. According to the statute, in order for a document to be authenticated, it must be executed by the maker, or the natural person acting on behalf of the maker, and then that signature must either be notarized or witnessed.

Issues have arisen when parties have recorded documents, realized mistakes were made in the documents, and then have corrected the mistakes and presented the corrected documents to registers for re-recording. Under T.C.A. 66-22-101, such documents would not be eligible for recording as they would not be properly authenticated.

As this so-called re-recording is not a viable option for correcting mistakes made in recorded documents, parties have two options – they can either correct the document and have the corrected version executed by the maker and then notarized or witnessed or they can register a scrivener's error affidavit pursuant to T.C.A. 66-24-101(a)(27).

A scrivener's error affidavit is used to identify the previously recorded document and describe the corrections that need to be made to the document. Public Chapter 116, which amends T.C.A. 66-22-101 and 66-24-101, goes further in that it provides that parties may attach corrected documents as exhibits to the affidavits. The purpose of the affidavit remains the same. The only change is that exhibits may now be included. Importantly, the bill provides that the previously recorded document, with corrections, may be attached as an exhibit. Keep in mind, however, this document will carry the legal weight of an exhibit to an affidavit, and not that of a recorded document such as a deed.

Public Chapter 116 was signed by the Governor May 8, 2007, and was effective on that day. Therefore, registers may now accept exhibits attached to scrivener's error affidavits.



## **BANKRUPTCY – B01**

Just because the certification page is from the Bankruptcy Court does not mean it's a bankruptcy. Read the document to be sure it's a true bankruptcy.

Once you have determined that it is...

1. Debtor
2. Court

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## BILL OF SALE – B02

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a max statement
- ◆ Must have a legal description
- ◆ Must have a prior title
- ◆ Must have a map parcel #
  1. Seller
  2. Buyer
- ◆ If making payments, must pay mortgage tax. If not making payments, max statement will be zero.

**\* If max statement is zero, it will be...**

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

**\* If max statement is NOT zero, it will be...**

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$1.00 probate fee

and...

Mortgage amount multiplied by .00115

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **BOND – B03**

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Power of Attorney may be included

1. Everyone (Principal, Surety, & who they're bound unto)
2. Everyone (Principal, Surety, & who they're bound unto)

- ◆ **You may refer to T.C.A. 66-11-142 for more information regarding this document.**

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## BYLAWS – B04

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Index legal description or address (if given)
- ◆ No book & page needed, but index if they include it. An exception - if they're AMENDING bylaws, will need book & page of the bylaws they're amending.

1. Who signs it & name of Subdivision or Development
2. BYLAWS

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## CANCELLATION – C01

ASK-THESE CAN BE INDEXED DIFFERENT WAYS

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

\*One example of a Cancellation is Book 7126 Page 460

1. Who signs it
2. Who they're canceling

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **CERTIFICATE – C02**

ASK-THESE CAN BE INDEXED DIFFERENT WAYS

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

\*One example of a Certificate is Book 6513 Page 88

1. TENNESSEE STATE OF
2. ESTATE OF THE DECEASED

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## CHARTER – C03

May say: Articles of Dissolution  
Articles of Termination  
Articles of Organization  
Articles of Merger  
Charter Amendment

- ◆ Must have a white cover letter from Secretary of State, it is the first page. One exception is when the charter was electronically filed with the Secretary of State. If it was e-filed, instead of a cover letter, the front page of the Charter will state (at the top) that it was Filed with the Secretary of State.
- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ There is usually a unique number stamped on the cover letter. The attached pages should run in consecutive order.
- ◆ “Type of”: If Articles of Termination - TERMIN  
If Articles of Organization – ORGANIZ  
If Articles of Merger – MERGER  
If Articles of Dissolution – DISLTN  
If Charter Amendment - AMEND

1. Company Name
2. Type of document (\*see below)

\*It will be one of the following:

Charter  
Articles of Termination  
Articles of Organization  
Articles of Merger  
Articles of Dissolution  
Charter Amendment

\$5.00 up to 5 pages & each additional page is .50  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## CONTRACT – C04

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a max statement
- ◆ Must have a legal description
- ◆ Must have a map parcel #
- ◆ Must have a prior title

1. Seller
2. Buyer

- ◆ If making payments, must pay mortgage tax. If not making payments, max statement will be zero.

**\* If max statement is zero, it will be...**

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

**\* If max statement is NOT zero, it will be...**

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee  
\$1.00 probate fee  
and...  
Mortgage amount multiplied by .00115

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## **CHILD SUPPORT LIEN – C05**

- ◆ Does not need a prepared by if certified from the court

\*One example of a Child Support Lien is Book 8224 Page 786

1. Obligee (Lienor)
2. Obligor (Lienee) - who owes the money

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## CORRECTIVE DEED – D01

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have legal description
- ◆ Must have prior title reference stating the type of document, along with the book & page #
- ◆ Must have reason for correction
- ◆ Must have an oath of value, it cannot be older than 6 months.  
If oath shows an increased amount, it should state the total amount & the amount over the original deed oath amount.  
If oath is not changing, it should match the original deed & cite the book & page in that oath where tax was paid.
- ◆ Must have a map parcel #
- ◆ Must have grantee's name & address
- ◆ Must have send tax bills to: (name & address)
  1. Who signs it
  2. Who the property is conveyed unto
- ◆ **The fee depends on the correction being made...**

**\*If the oath of value is being corrected, it is taxable. It would be:**

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee  
\$1.00 probate fee  
and...  
Full conveyance amount multiplied by .0037

**\*If the oath of value is not changing, it is not taxable. It would be:**

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee  
Exempt the conveyance tax and probate fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## DECLARATION – D02

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

1. Everyone
2. Declaration

OR

\* If it says it's a declaration by & between several people, it would be...

1. Everyone
2. Everyone

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## DECREE PROPERTY – D03

- ◆ Must be a certified copy from the court
- ◆ Must have a map parcel #
- ◆ Must have oath of value if it's a tax sale. Does not require an oath of value on Divorce Decrees, Decrees to Quiet Title, etc. Oath cannot be older than 6 months.
- ◆ If it's a Decree of Redemption, the amount in the oath is what they "have now paid into the Court"
- ◆ Must have grantee's name & address
- ◆ Must have send tax bills to: (name & address)
- ◆ No acknowledgement needed
- ◆ Must have prior title

1. Who it's DIVESTED OUT OF
2. Who it's VESTED INTO

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$1.00 probate fee – (if taxes are collected)

and...

Full conveyance amount multiplied by .0037

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **DECREE LIEN – D04**

- ◆ Must be court certified
- ◆ No acknowledgement needed
- ◆ Must have Lienor & Liencee
- ◆ You have to read the document to see who was awarded the judgment.
- ◆ Submitter must note in upper left corner of the document the word LIEN

1. Person who was awarded judgment
2. Person who the judgment was against

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## DEED OF TRUST – D05

\*May say: Home Equity Deed of Trust  
Open End Deed of Trust  
Subordinate Deed of Trust  
Construction Deed of Trust  
Supplemental Deed of Trust

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a legal description
- ◆ Must have a max statement
- ◆ Home Equity Conversion is tax exempt
- ◆ Must have prior title reference stating the type of document, along with the book & page #
- ◆ If Supplemental Deed of Trust, type of = SUPL

1. Borrower
2. Lender

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee  
\$1.00 probate fee  
and...  
Exempt \$2,000 from the conveyed amount, and multiply by .00115

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## DEED OF TRUST AMENDMENT OR MODIFICATION -D06

May say: Modification of security instrument  
Loan modification agreement  
Modification & Extension of Deed of Trust  
Construction/Permanent Mortgage Modification Agreement

- ◆ Must have prepared by, return to name & address
- ◆ Both borrower & lender must sign & be acknowledged (with notary seal for each)
- ◆ Index legal description or address (if given)
- ◆ Must have book & page of the Deed of Trust being modified or amended
- ◆ Must have a max statement. It can't be zero. If increasing indebtedness, it must be the increased amount only. If not increasing indebtedness, it must be the full loan amount followed by a statement citing the book & page where taxes were paid.
- ◆ Must index the execution date. If it's 60 days (or more) past the execution date AND they're increasing indebtedness, see penalty fee below.

1. Borrowers
2. Lender

**\*Fee depends on whether the max statement is being modified/amended...**

**If increasing indebtedness:**

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$1.00 probate fee

Full amount in max statement multiplied by .00115 (Do NOT exempt \$2,000 – there are no exemptions on a modified deed of trust).

If it's being recorded **60 days** or more past the execution date, a **penalty** of \$250 – OR double the tax (whichever is GREATER).

**If not increasing indebtedness:**

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## DISCHARGE / MILITARY SEPARATION (DD214) – D07

- ◆ Our Register of Deeds was furnished the following letter, but **it is the veteran's decision only**, whether to register or not.
- ◆ **If they want it recorded, we will record it.** We can record a military redaction form if requested.
- ◆ No acknowledgement needed
- ◆ No prepared by needed
  1. Branch of military (Army, Marines, Air Force, Navy)
  2. Individual being discharged
- ◆ Must have original with type of separation section, or a certified copy with a seal.
- ◆ **LET THEM READ THIS BEFORE RECORDING THE DOCUMENT**

Separation Papers (Department of Defense Form 214-DD214) - Many veterans were advised upon discharge from the military to register their DD214 separation papers at the County Court House Register of Deeds office. Now VA advises, DO NOT register your DD214 with the Courthouse Register of Deeds, due to possible Identity Theft. This is in accordance with VA letter "SCAMS TARGET VETERANS FOR IDENTITY THEFT", dated 1-30-2002. According to this letter, between 600,000 to 700,000 cases of identity theft were reported by the Federal Trade Commission in the year 2000. It states that identity theft is the fastest growing crime today, and many victims don't find out that their personal information has been stolen until they are trying to buy a house or obtain a loan. Once you register your DD214 with the courthouse, it becomes public record, and anyone can go look at it. VA recommends that you should safeguard the form as you would any vital papers and place it in a bank safety deposit box or purchase a fire proof safe to store your vital forms in. All people should begin to safeguard their social security numbers to prevent identity theft. Many of you have noticed that your social security income statements of late only list the last four numbers of your social security number to guard against identity theft.

There is no charge for this recording



## **DISCLAIMER – D08**

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

\*One example of a Disclaimer is Book 6462 Page 437

### **\*If Disclaimer of Inheritance:**

1. Undersigned
2. Estate of the deceased

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **DISMISSAL – D09**

### ASK-THESE CAN BE INDEXED DIFFERENT WAYS

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Some are indexed like a release

\*One example of a Dismissal is Book 6019 Page 557

1. Plaintiff
2. Defendant

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## MASTER DEED – D10

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a legal description
- ◆ Must have prior title reference stating the type of document, along with the book & page #
- ◆ No oath of value needed
- ◆ No grantee name & address needed
- ◆ No map parcel # needed

1. Who signs it & the subdivision name
2. MASTER DEED

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## MASTER'S DEED – D11

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have an oath of value, it cannot be older than 6 months.
- ◆ Must have legal description
- ◆ Must have prior title reference stating the type of document, along with the book & page #
- ◆ Must have Grantee's name & address
- ◆ Must have send tax bills to: (name & address)
- ◆ Must have a map parcel #
  1. Clerk & Masters name AND who he's acting for
  2. Who it's conveyed unto

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## QUITCLAIM DEED – D12

- ◆ Must have prepared by, return to name & address
  - ◆ Must be acknowledged
  - ◆ Must have oath of value, it cannot be older than 6 months. The oath should reflect the consideration amount, if there was an amount paid for the property. If it's going into a revocable trust, it does not require an oath.
  - ◆ Must have a legal description
  - ◆ Must have a map parcel #
  - ◆ Must have prior title reference stating the type of document, along with the book & page #
  - ◆ Must have grantee's name & address
  - ◆ Must have send tax bills to: (name & address)
  - ◆ When a revocable trust is transferred back to the transferor/spouse, a prior deed must be checked to verify that they were the actual parties that transferred it to the revocable trust. Once the parties are verified to be the same, the conveyance is tax exempt.
    1. Who signs it
    2. Who conveyed unto
  - ◆ If it has the "to have & to hold – warrant & defend" clause, then it's not a true QuitClaim, and the oath should reflect & conveyance tax paid on the "whichever is greater" amount value or consideration.
  - ◆ A gift tax memo should be given if no consideration is stated in the oath. Any property given to another party could have a gift tax due to the Dept. of Revenue if it is over \$10,000.00 in value. They would be questioned if the Dept. of Revenue ever audited.
- \$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee  
\$1.00 probate fee (if oath has zero, exempt the probate fee)  
and...  
Full conveyance amount multiplied by .0037
- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **R/W DEED (RIGHT OF WAY) – D13**

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a map parcel #
- ◆ Must have send tax bills to: (name & address)
- ◆ Must have an oath of value, it cannot be older than 6 months. Conveyed amount must be at least \$10.00. Per TN Dept of Revenue, tax & probate fee will be due on this amount.
- ◆ Must have grantee's name & address
- ◆ Must have a legal description
- ◆ Must have prior title reference stating the type of document, along with the book & page #

1. Who signs it
2. Who it's conveyed to

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$1.00 probate fee

and...

Full conveyance amount multiplied by .0037

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## TIMBER DEED – D14

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a legal description
- ◆ Must have an oath of value, it cannot be older than 6 months.
- ◆ Must have prior title reference stating the type of document, along with the book & page #
- ◆ Must have a map parcel #
- ◆ Must have grantee's name & address
- ◆ Must have send tax bills to: (name & address)

1. Who signs it
2. Who it's conveyed to

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$1.00 probate fee

and...

Full conveyance amount multiplied by .0037

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## TRUSTEE'S DEED – D15

May say: Substitute Trustee's Deed

\*Only use this code for foreclosures

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a legal description
- ◆ Must have a map parcel #
- ◆ Must have grantee name & address
- ◆ Must have send tax bills to: (name & address)
- ◆ Must have oath of value, it cannot be older than 6 months. The Tennessee Department of Revenue issued a statement on December 10, 2007 affirming that the oath on a *Trustee's Deed* should reflect the value of the property or the consideration (what the buyer purchased it for), whichever is the greater amount. Many customers assume that this is the amount given at the sale for the foreclosed property which is incorrect. The oath on a Trustee's Deed should reflect the same amount - the consideration or value of the property - whichever is greater, as if it were a Warranty Deed.

1. Who signed it AND the borrowers (at the top). If it's a Trustee, AP code = T, & TR goes after their last name)

2. Who conveyed to (in the "now therefore" paragraph)

- ◆ Index book & page of Deed of Trust being foreclosed on AND the prior deed reference in the legal description
- ◆ This is the only deed that may only have the Book & Page of the Deed of Trust as the prior title. All other deeds must list the prior deed reference.

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$1.00 probate fee

and...

Full conveyance amount multiplied by .0037

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## VENDOR'S LIEN DEED / ASSUMPTION DEED – D16

- ◆ Must have “Seller is (or is not) released from liability”. It will either be written in the margin, or within the document. The fee will depend on whether they are (or aren't) released from liability.
- ◆ If seller IS released from liability, it must have a max statement (it is taxable)
- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have grantee's name & address
- ◆ Must have send tax bills to: (name & address)
- ◆ Must have a map parcel #
- ◆ Must have a legal description
- ◆ Must have book & page reference (pick up the book & page of the deed of trust they're assuming AND the prior deed reference). The prior deed reference must state the type of document, along with the book & page #.

1. Who signs it
2. Who it's conveyed unto

### **\*If seller is NOT released of liability:**

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

### **\*If seller IS released of liability:**

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee  
\$1.00 probate fee  
and...  
Mortgage assumed amount multiplied by .00115

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## WARRANTY DEED – D17

May say: LIMITED WARRANTY DEED  
SPECIAL WARRANTY DEED  
EXECUTOR'S DEED

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Will always say TO HAVE & TO HOLD – WARRANT & DEFEND
- ◆ Must have a map parcel #
- ◆ Must have a legal description
- ◆ Must have grantee's name & address
- ◆ Must have send tax bills to: (name & address)
- ◆ Must have oath of value, it cannot be older than 6 months. If it's less than \$5,000 a copy must be faxed to the TN Dept. of Revenue. Also, any deed that is suspicious because they have way less stated value than what is on the Assessor sheet.
- ◆ Must have prior title reference stating the type of document, along with the book & page #
- ◆ When a revocable trust is transferred back to the transferor/spouse, a prior deed must be checked to verify that they were the actual parties that transferred it to the revocable trust. Once the parties are verified to be the same, the conveyance is tax exempt.

1. Who signs it (seller)
2. Who it's conveyed unto (purchaser)

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$1.00 probate fee

and...

Full conveyance amount multiplied by .0037

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## SCRIVENERS AFFIDAVIT – DEED OF TRUST – D18

See page 68 for details

- ◆ Document must be titled: Scriveners Affidavit – Deed of Trust
- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have grantor/grantee names. If correcting grantor/grantee, it must show the way it was on the original document and the corrected way.
- ◆ Must have book & page of document being corrected
- ◆ Must have a legal description when correcting a document that requires a legal description
- ◆ Document being corrected does not need to be attached as an exhibit

1. Who signs it & the grantor mentioned in the affidavit.  
If correcting grantor name, index it both ways.
2. Grantee mentioned in the affidavit.  
If correcting grantee name, index it both ways.

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

\$5.00 for each additional reference

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **SPOTLIGHT ON CURRENT ISSUES**

From: The University of Tennessee at Chattanooga  
County Technical Assistance Service

**August 8, 2007**

### **LEGISLATIVE UPDATE FOR REGISTERS OF DEEDS**

#### **Public Chapter 116 (Scrivener's Error Affidavit)**

Under T.C.A. 66-22-101, documents must be authenticated as a condition of recording. According to the statute, in order for a document to be authenticated, it must be executed by the maker, or the natural person acting on behalf of the maker, and then that signature must either be notarized or witnessed.

Issues have arisen when parties have recorded documents, realized mistakes were made in the documents, and then have corrected the mistakes and presented the corrected documents to registers for re-recording. Under T.C.A. 66-22-101, such documents would not be eligible for recording as they would not be properly authenticated.

As this so-called re-recording is not a viable option for correcting mistakes made in recorded documents, parties have two options – they can either correct the document and have the corrected version executed by the maker and then notarized or witnessed or they can register a scrivener's error affidavit pursuant to T.C.A. 66-24-101(a)(27).

A scrivener's error affidavit is used to identify the previously recorded document and describe the corrections that need to be made to the document. Public Chapter 116, which amends T.C.A. 66-22-101 and 66-24-101, goes further in that it provides that parties may attach corrected documents as exhibits to the affidavits. The purpose of the affidavit remains the same. The only change is that exhibits may now be included. Importantly, the bill provides that the previously recorded document, with corrections, may be attached as an exhibit. Keep in mind, however, this document will carry the legal weight of an exhibit to an affidavit, and not that of a recorded document such as a deed.

Public Chapter 116 was signed by the Governor May 8, 2007, and was effective on that day. Therefore, registers may now accept exhibits attached to scrivener's error affidavits.

## EASEMENT – E01

May say: Ingress & Egress  
Boundary

There are several different kinds of easements.  
Treat it like a deed

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have grantee's name & address
- ◆ Must have send tax bills to: (name & address)
- ◆ Must have a map parcel #
- ◆ Must have an oath of value (unless it's declaring an easement & not conveying), it cannot be older than 6 months. Conveyed amount must be at least \$10.00. Per TN Dept of Revenue, tax & probate fee will be due on this amount. (EPB Abandon & Relocation – must have oath and is taxable).
- ◆ Must have a legal description
- ◆ Must have prior title reference stating the type of document, along with the book & page #
- ◆ Creating or conveying an easement is taxable. An easement consists essentially of a right of one proprietor to some use out of the estate of another proprietor. TCA 67-4-409 (a) imposes a tax for the recording of instruments which evidence the transfer of any interest in real estate. There appears to be nothing which alters the character of an easement as an interest in land. As interests in land, easements are taxable under this section.

1. Everyone
2. Everyone

OR

1. Seller
2. Buyer

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$1.00 probate fee

and...

Full conveyance amount multiplied by .0037

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **FEDERAL TAX LIEN – F01**

- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ No original signature needed
- ◆ Lien amount is TOTAL AMOUNT
- ◆ Must have a serial number
- ◆ No book & page needed

1. INTERNAL REVENUE SERVICE
2. LIENEE NAME AND ADDRESS

- ◆ Must index:      Lien Amount  
                         Serial Number  
                         Full Address

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **FT NOTICE – F02**

(FEDERAL TAX NOTICE)

\*One example of a Federal Tax Notice is Book 6170 Page 241

- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ No original signature needed
- ◆ Lien amount is TOTAL AMOUNT
- ◆ Must have a serial number
- ◆ No book & page needed

1. INTERNAL REVENUE SERVICE
2. TAXPAYER (OR TAXPAYERS) NAME AND ADDRESS

- ◆ Must index:      Lien Amount  
                         Serial Number  
                         Full Address

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **FT PT RELEASE – F03**

(FEDERAL TAX PARTIAL RELEASE)

- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ If no reference listed, DO NOT write it in. This document must not be altered.
- ◆ If partially releasing property, a legal description is needed  
If partially releasing names, no legal description is needed
- ◆ Must have a serial number

1. INTERNAL REVENUE SERVICE
2. TAXPAYER (OR TAXPAYERS) NAME AND ADDRESS

- ◆ Must index:      Lien Amount  
                         Serial Number  
                         Full Address

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## FEDERAL TAX RELEASE – F04

May say: RELEASE OF FEDERAL TAX LIEN

- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ If no reference listed, DO NOT write it in. This document must not be altered.
- ◆ If partially releasing property, a legal description is needed  
If partially releasing names, no legal description is needed
- ◆ Must have a serial number

1. INTERNAL REVENUE SERVICE
2. TAXPAYER (OR TAXPAYERS) NAME AND ADDRESS

- ◆ Must index:      Lien Amount  
                         Serial Number  
                         Full Address

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## FT REVOCATION – F05

(FEDERAL TAX REVOCATION)

May say: FT WITHDRAWAL

\*One example of a Federal Tax Revocation is Book 8318 Page 252

- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ If no reference listed, DO NOT write it in. This document must not be altered.
- ◆ If partially releasing property, a legal description is needed  
If partially releasing names, no legal description is needed
- ◆ Must have a serial number

1. INTERNAL REVENUE SERVICE
2. TAXPAYER (OR TAXPAYERS) NAME AND ADDRESS

- ◆ Must index:      Lien Amount  
                         Serial Number  
                         Full Address

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **FT SUBORDINATION – F06**

(FEDERAL TAX SUBORDINATION)

\*One example of a Federal Tax Subordination is Book 6463 Page 362

- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ If no reference listed, DO NOT write it in. This document must not be altered.
- ◆ If partially releasing property, a legal description is needed  
If partially releasing names, no legal description is needed
- ◆ Must have a serial number

1. INTERNAL REVENUE SERVICE
2. TAXPAYER (OR TAXPAYERS) NAME AND ADDRESS

- ◆ Must index:
  - Lien Amount
  - Serial Number
  - Full Address

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## FIXTURE DT – F07

- ◆ REAL ESTATE RECORDS box must be checked
- ◆ Must have name & address of debtor
- ◆ Must have legal description (street address does not count as a legal description)
- ◆ Must have prior title reference stating the type of document, along with the book & page #
- ◆ Must have a max statement
- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ On the form, the description of collateral should state “Filed in Real Estate Records” (there must be a description of collateral)
- ◆ If CONTINUATION is checked, “type of” will be CONTIN.

\*Continuation: Must be filed within 5 years (or they’ll have to reinstate it).  
May be filed by the secured party at any time within the last 8 months that the financing statement is effective.

1. Debtor
2. Secured Party

- ◆ Look for “Name of Record Owner” – It could be different, & will need to be indexed & charged for.

\$13.00

\$ 2.00 data processing

**\$15.00 FOR EACH DEBTOR**

If more than 10 pages, it’s .50 per page for the 11<sup>th</sup> page & beyond.

- ◆ If it’s a multi-functioning document, it’s \$5.00 for each ADDITIONAL function.

## FIXTURE RELEASE – F08

- ◆ Look up book & page to be sure it was a fixture filing
- ◆ Write the instrument # on the document, so it won't have to be looked up again while being proofed
- ◆ Must have book & page of fixture they're releasing
- ◆ Termination must be checked
- ◆ No legal description needed
- ◆ No prepared by needed
- ◆ No acknowledgement needed

1. Secured Party
2. Debtor

- ◆ Look for "Name of Record Owner" – It could be different, & will need to be indexed & charged for.

\$13.00  
\$ 2.00 data processing  
**\$15.00 FOR EACH DEBTOR**

If more than 10 pages, it's .50 per page for the 11<sup>th</sup> page & beyond.

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## FIXTURE ASSIGNMENT – F09

- ◆ Assignment must be checked
- ◆ Must have book & page of the Fixture they're assigning
- ◆ Write the instrument # on the document, so it won't have to be looked up again while being proofed
- ◆ No legal description needed
- ◆ Must have a max statement. It can be zero. If an amount is listed, it needs to state the book & page where taxes were paid.
- ◆ No prepared by needed
- ◆ No acknowledgement needed

1. Original Secured Party & Debtor
2. New Secured Party

- ◆ Look for "Name of Record Owner" – It could be different, & will need to be indexed & charged for.

\$13.00  
\$ 2.00 data processing  
**\$15.00 FOR EACH DEBTOR**

If more than 10 pages, it's .50 per page for the 11<sup>th</sup> page & beyond.

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## FIXTURE PARTIAL RELEASE – F10

- ◆ Look up book & page to be sure it was a fixture filing
- ◆ Must have book & page of the Fixture they're releasing
- ◆ Write the instrument # on the document, so it won't have to be looked up again while being proofed
- ◆ Must have a legal description
- ◆ No max statement needed
- ◆ No prepared by needed
- ◆ No acknowledgement needed

1. Secured Party
2. Debtor

- ◆ Look for "Name of Record Owner" – It could be different, & will need to be indexed & charged for.

\$13.00

\$ 2.00 data processing

**\$15.00 FOR EACH DEBTOR**

If more than 10 pages, it's .50 per page for the 11<sup>th</sup> page & beyond.

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## FIXTURE DT AMENDMENT – F11

- ◆ Amendment must be checked
- ◆ Must have book & page of Fixture they're amending
- ◆ Write the instrument # on the document, so it won't have to be looked up again while being proofed
- ◆ Must have a max statement. It can't be zero. If increasing indebtedness, it must be the increased amount only. If not increasing indebtedness, it must be the full loan amount followed by a statement citing the book & page where taxes were paid.
- ◆ No legal description needed
- ◆ No prepared by needed
- ◆ No acknowledgement needed

1. Debtor
2. Secured Party

- ◆ Look for "Name of Record Owner" – It could be different, & will need to be indexed & charged for.

\$13.00

\$ 2.00 data processing

**\$15.00 FOR EACH DEBTOR**

If more than 10 pages, it's .50 per page for the 11<sup>th</sup> page & beyond.

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## GRANT – G01

\*One example of a Grant is Book 8049 Page 852

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a legal description
- ◆ Must have a max statement
- ◆ Home Equity Conversion is tax exempt
- ◆ Must have prior title reference stating the type of document, along with the book & page #

1. Borrower
2. Lender

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$1.00 probate fee

and...

Exempt \$2,000 from the conveyed amount, and multiply by .00115

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **JUDGMENT PROPERTY – J01**

- ◆ Must have certified copy from the court
- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ Index legal description (or address) if given
- ◆ No book & page needed, but index it if they include it
- ◆ Must have a map parcel # if property is involved
- ◆ No changes can be made to this document, except writing map parcel # in left margin
- ◆ If they're divesting property, must have grantees name & address, send tax bills to, & map parcel #

1. Who it's DIVESTED OUT OF
2. Who it's VESTED INTO

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## JUDGMENT LIEN – J02

- ◆ Certified letter from Clerk of Court must be attached (it goes in back) **OR** it must be stamped as certified
- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ Submitter must note in upper left corner of the document the word LIEN
- ◆ Must index the “sign date” (execution date)
- ◆ Check the first page to see who the judgment is in favor of...

1. Who the judgment is in favor of
2. Who the judgment is against

(It's usually from the plaintiff - to the defendant)

\$5.00 per page

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## LEASE – L01

- ◆ Must have either a max statement, OR be stamped “this is a true lease, no security interest”
- ◆ Must have signature of both parties
- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a legal description
- ◆ Must have prior title reference stating the type of document, along with the book & page #

1. Landlord (lessor)
2. Tenant (lessee)

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## LETTERS – L02

\*One example of a Letter is Book 5556 Page 363

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

1. Probate Court
2. People and Deceased

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **LICENSE – L03**

\*One example of a License is Book 6340 Page 506

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

1. Licenser
2. Licensee

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **LIEN – L04**

May say: Mechanics & Materialmen's Lien

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged (unless it's from the U. S. Attorney's office)
- ◆ Execution date must be indexed

1. Who signed it
2. Who they're putting a lien against

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **LIEN LIS PENDENS – L06**

- ◆ Must have prepared by, return to name & address
- ◆ Must be signed by the court
- ◆ Must be acknowledged
- ◆ Execution date must be indexed

1. Plaintiff
2. Defendant

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## **TAX LIEN - TN DEPT. OF LABOR & WORKFORCE – L07**

- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ Must have account #
- ◆ No book & page reference needed
- ◆ Must have a “sign date” - (example: “witness my hand at Nashville TN on the 31<sup>st</sup> day of October, 2007”)
- ◆ “Mail to” will be – TN Dept. of Labor & Workforce

1. TENNESSEE STATE OF (NO ABBREVIATIONS)
2. EMPLOYER

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## MERGER – M01

(If it has a cover letter from the Secretary of State, it would be a Charter)

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

1. Merging Companies
2. Articles of Merger

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## MINERAL – M02

\*One example of a Mineral is Book 3745 Page 467

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a map parcel #
- ◆ Must have book & page reference

1. Owner of mineral interest
2. Surface owner

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## MOTION – M03

ASK-THESE CAN BE INDEXED DIFFERENT WAYS

\*One example of a Motion is Book 4922 Page 680

- ◆ It is usually a certified copy
- ◆ No prepared by needed

1. Plaintiff
2. Defendant

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **MILITARY REDACT – M04**

Must use the form prescribed by law. It can be found at  
<http://tennessee.gov/sos/acts/104/pub/pc0292.pdf>

- ◆ Must have prepared by, return to name & address
- ◆ Must have full name of veteran
- ◆ Must have the name of person making request. If not the veteran who is requesting, it must identify the legal relationship that entitles them to make the request
- ◆ Must specify if they want to remove the Military Discharge, or redact the social security number (if practicable)
- ◆ Must have book & page of the Military Discharge being redacted
- ◆ Must have signature of person who is making the request
- ◆ Must be acknowledged

1. Veteran & person making request (if not the veteran)
2. Military Redaction

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **METH LAB NOTICE – M05**

Must use the form prescribed by law. It can be found at  
<http://tennessee.gov/sos/acts/104/pub/pc0347.pdf>

- ◆ Must have prepared by, return to name & address
- ◆ Must have signature of local law enforcement agent
- ◆ No acknowledgement needed
- ◆ Must have name of property owner
- ◆ Must have property address
- ◆ Must have prior title reference stating the type of document, along with the book & page #

1. Owner of property
2. Agency giving notice

There is no charge for this recording

## METH LAB CERTIFICATE OF FITNESS – M06

Must use the form prescribed by law. It can be found at  
<http://tennessee.gov/sos/acts/104/pub/pc0347.pdf>

- ◆ Must have prepared by, return to name & address
- ◆ Must have name of property owner
- ◆ Must have property address
- ◆ Must have book & page where Meth Lab Notice was recorded, or state “notice not of record”
- ◆ Must be signed by a Certified Industrial Hygienist (or other authorized person) and Company
- ◆ Ideally, Meth Lab release should be filed as an exhibit with the Certificate of Fitness & should be recorded simultaneously
- ◆ Must be acknowledged or proved by two subscribing witnesses

1. Agency that issued quarantine
2. Owner of property

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **METH LAB RELEASE – M07**

Must use the form prescribed by law. It can be found at  
<http://tennessee.gov/sos/acts/104/pub/pc0347.pdf>

- ◆ Must have prepared by, return to name & address
- ◆ Must have agency who issued the quarantine
- ◆ Ideally, it should be filed as an exhibit with the Certificate of Fitness & be recorded simultaneously (as a double document). If not, it must cite both the book & page where Meth Lab Notice was filed & book & page where Certificate of Fitness was filed.

1. Agency that issued the quarantine
2. Owner of property

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## NOTICE – N01

\*One example of a Notice is Book 6467 Page 31

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ If it's a Notice of Commencement, "type of" = commencement

1. All Parties
2. Notice

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## NOTICE OF COMPLETION – N02

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a legal description or the property address
- ◆ No book & page needed
- ◆ “Date of:” = the date of completion (on form) – Example 09-01-2007 (It must be past the date of completion)

1. From A (on document)
2. To B (on document)

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## OPTION – 001

(LIKE A BILL OF SALE & CONTRACT)

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have a max statement
- ◆ Must have a legal description
- ◆ Must have book & page
- ◆ Must have a map parcel #

1. Optionor
2. Optionee

- ◆ If making payments, must pay mortgage tax. If not making payments, max statement will be zero.

**\* If max statement is zero, it will be...**

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

**\* If max statement is NOT zero, it will be...**

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee  
\$1.00 probate fee  
and...  
Mortgage amount multiplied by .00115

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## ORDER PROPERTY – 002

- ◆ Must have certified copy from the court
- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ Index legal description or address (if given)
- ◆ No prior title reference needed, but index it if it's there
- ◆ Must have a map parcel # if property is involved
- ◆ If they're divesting property, must have grantees name & address, send tax bills to & a map parcel #

1. Who it's divested out of
2. Who it's vested into

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **ORDER LIEN – O03**

- ◆ Must have a certified copy from the court
- ◆ Submitter must note in upper left corner of the document the word LIEN
- ◆ No prepared by
- ◆ No acknowledgement needed
- ◆ No legal description needed
- ◆ No book & page needed

1. Who won the judgment
2. Who the lien is against

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **ORDINANCE – 004**

- ◆ Must have a notarized Notice of Certification from City Council
- ◆ No prepared by needed
- ◆ Must have grantees name & address
- ◆ Must have send tax bills to: (name & address)
- ◆ Must have a map parcel #

1. CHATTANOOGA CITY OF (OR HAMILTON COUNTY)
2. ORDINANCE & ORDINANCE NUMBER – (Ex: ORDINANCE 5230) and OWNERS NAME

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **PARTNERSHIP – P01 (or P07)**

There are 2 different kinds of Partnerships. They are as follows:

### **\*P01 – LOOKS LIKE A CHARTER**

- ◆ Looks like a charter
- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ Will have a letter from the Secretary of State (it goes in front)
- ◆ Must be an original
- ◆ There is usually a unique number stamped on the cover letter. The attached pages should run in consecutive order.
  1. Partners (listed in body of document)
  2. Name of Partnership

\$5.00 up to 5 pages & each additional page is .50

\$2.00 data processing fee

If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

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### **\*P07 – LOOKS LIKE A REGULAR DOCUMENT**

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
  1. Partners (listed in body of document)
  2. Name of Partnership

\*Special instructions for Southwest Royalties Inc (A TN Limited Partnership)

In notes, must say exactly this: **SOME PARTNERS ARE BY A IN F ETC**

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## PETITION – P02

ASK-THESE CAN BE INDEXED DIFFERENT WAYS

\*One example of a Petition is Book 5677 Page 156

- ◆ Usually a certified copy
- ◆ No prepared by needed

1. Bankruptcy Court
2. Debtor

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## PLAT – P05

(ALL SIGNATURES MUST BE ORIGINAL!)

- ◆ GIS stamps it in the upper right corner. It says “Approved for recording, Hamilton Co. GIS department”. The appropriate parties must sign. The signatures vary (it may be Hamilton Co. Wastewater, Hamilton Co. Health Dept., Hamilton Co. Planning Commission, etc.).
- ◆ If the property is in Collegedale, Red Bank or Soddy Daisy, their planning commission will sign it (instead of Hamilton Co.)
- ◆ Can be more than one page (Example: Sheet 1 of 5)
- ◆ Must have **original** signatures of owners. Phone numbers of owners must be placed under every owner’s signature.
- ◆ Must have original surveyors seal, signature & stamp with proper original signatures
- ◆ Must have 1 mylar & 2 copies, all with **original** signatures. Only plats with **original** signatures will be validated (including customer’s copy).
- ◆ Place red stamp stating “recorded plat does not convey property” near the validation stamp
- ◆ If it’s a CORRECTIVE PLAT, “type of” will be CORR
- ◆ If it’s a REVISED PLAT, skip “type of”

1. Name of subdivision (it goes in the last name field, do not include the word SUBDIVISION) - AND the Owner (or owners)

2. PLAT

\$15.00 per page  
\$2.00 data processing

## POWER OF ATTORNEY – P06

(If REVOCATION, see below)

(We do **NOT** record HEALTHCARE Power of Attorneys. One exception would be if the healthcare Power of Attorney is incorporated into a regular Power of Attorney document)

- ◆ Must have prepared by, return to name & address (one exception -Military POA does not require a prepared by if it has a preamble stating it's exempt from requirement of form)
- ◆ Must be acknowledged
- ◆ Index legal description or address (if given)
  1. Who signs it
  2. Who they're appointing AND any substitutes names (if applicable)

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.
- 

## REVOCATION OF POWER OF ATTORNEY

- ◆ Must meet all of the above requirements
- ◆ Must have book & page of original Power of Attorney
- ◆ "Type of" is REVOC
- ◆ If original power of attorney wasn't filed, make note in the margin. (Ex: Original Power of Attorney not of record)
  1. Person revoking the Power of Attorney (who signs it)
  2. Who they are revoking (person/persons previously appointed as Power of Attorney)

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## QUALIFICATIONS – Q01

\*One example of a Qualification is Book 4356 Page 856

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

1. Individual & Bonding Co.
2. QUALIFICATIONS

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## RELEASE – RO1

May say: Cancellation of Assignment

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have book & page reference of the original deed of trust. It will not be the prior title listed in the legal description.
- ◆ Register's staff must not look up the book & page number, unless the instrument # is given. If it is missing, reject the document.
- ◆ Index legal description or address (if given)
  1. Lender (who signs it)
  2. Who executed by (or who originally borrowed the money)
- ◆ Do not index the Trustee
- ◆ Only index FKA (formerly known as) on grantees

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$5.00 for each additional reference

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **PARTIAL RELEASE – R03**

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have legal description (An address is not a legal description)
- ◆ Must have book & page reference of the original deed of trust. It will not be the prior title listed in the legal description.

1. Lender (who signs it)
2. Who executed by (or who originally borrowed the money)

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

\$5.00 each additional reference

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## RESIGNATION – R04

ASK-THESE CAN BE INDEXED DIFFERENT WAYS

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

\*One example of a Resignation is Book 4482 Page 180

1. Who signs it
2. Who resigned

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **RESOLUTION – R05**

- ◆ Must have certified copy from City of Chattanooga or Hamilton County
- ◆ No prepared by needed

\*One example of a Resolution is Book 5551 Page 358

1. CHATTANOOGA CITY OF (OR HAMILTON COUNTY)
2. RESOLUTION & RESOLUTION # (ex: RESOLUTION 200-2)

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **RESTRICTIONS - R06**

May say: Declarations of Covenants & Restrictions  
Restrictions of Subdivision

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Index the legal description - (Example: lot numbers listed in body of document)
- ◆ If it's a waiver of restrictions, "type of" would be WAIVER - list book & page of restrictions

1. Who signs it
2. Name of subdivision (if there is no subdivision, index the word "restrictions")

\* If they're granting a waiver to someone, also pick them up as a grantee (#2)

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## REVOCATION – R07

This does not apply to Revocation of Power of Attorney (see P06)

### ASK-THESE CAN BE INDEXED DIFFERENT WAYS

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

\*One example of a Revocation is Book 5409 Page 915

1. Who signs it
2. Who is being revoked

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## RIGHT OF WAY – R08

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have grantee's name & address
- ◆ Must have send tax bills to: (name & address)
- ◆ Must have a map parcel #
- ◆ Must have an oath of value, it cannot be older than 6 months. Conveyed amount must be at least \$10.00. Per TN Dept of Revenue, tax & probate fee will be due on this amount.
- ◆ Must have a legal description
- ◆ Must have prior title reference stating the type of document, along with the book & page #

1. Everyone
2. Everyone

OR

1. Seller
2. Buyer

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## DT REINSTATE – R09

May say: Released in Error  
Correction of Erroneous Release  
Cancellation of Release

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ No max statement needed
- ◆ Index legal description or address (if given)
- ◆ Must have TWO references (Book & Page where it was released in error, and Book & Page of the original deed of trust)

1. Everyone
2. Everyone

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **RELEASE - TN DEPT. OF REVENUE – R10**

- ◆ No prepared by needed
- ◆ No return to name & address needed
- ◆ Must have Entity ID #
- ◆ Must have book & page reference of the original lien
- ◆ If no reference listed, DO NOT write it in. This document must not be altered.
- ◆ Must index the “sign date” (execution date)

1. TENNESSEE STATE OF
2. TAXPAYER (OR TAXPAYERS) NAME

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$5.00 for each additional reference

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **RELEASE - TN DEPT. OF LABOR – R11**

- ◆ No prepared by needed
- ◆ No return to name & address needed
- ◆ Must have Account #
- ◆ Must have book & page reference of the original lien
- ◆ If no reference listed, DO NOT write it in. This document must not be altered.
- ◆ Must index the “sign date” (execution date)

1. TENNESSEE STATE OF
2. EMPLOYER’S NAME

\$5.00 per page (If 1 page, it’s \$10.00)

\$2.00 data processing fee

\$5.00 for each additional reference

- ◆ If it’s a multi-functioning document, it’s \$5.00 for each ADDITIONAL function.

## **PARTIAL RELEASE – TN DEPT. OF REVENUE – R12**

- ◆ No prepared by needed
- ◆ No return to name & address needed
- ◆ Must have Entity ID #
- ◆ Must have book & page reference of the original lien
- ◆ If no reference listed, DO NOT write it in. This document must not be altered.
- ◆ Must index the “sign date” (execution date)
- ◆ If partially releasing property, a legal description is needed  
If partially releasing names, no legal description is needed

1. TENNESSEE STATE OF
2. TAXPAYER (OR TAXPAYERS) NAME

\$5.00 per page (If 1 page, it's \$10.00)

\$2.00 data processing fee

\$5.00 each additional reference

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **SUBORDINATION AGREEMENT – S01**

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Must have book & page # of the Deed of Trust being subordinated
- ◆ Index legal description or address (if given)

1. Who signs it
2. Who executed by (may say FROM instead of execute)

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **APPOINTMENT OF SUBSTITUTE TRUSTEE – S02**

May say: Substitution of Trustee

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Index Book & Page of original Deed of Trust

1. Who signs it AND people at top who executed the deed of trust
2. Who they're appointing (in the "now therefore" paragraph) – AP code is T, and TR goes after the last name

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## **APPOINTMENT OF SUCCESSOR TRUSTEE – S03**

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Index Book & Page of original Deed of Trust

1. Who signs it AND people at top who executed the deed of trust
2. Who they're substituting as new trustee (in the "now therefore" paragraph) – AP code is T, and TR goes after the last name

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **SUPPLEMENT – S04**

This does not apply to Supplemental Deed of Trust (see D05)

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged

\*One example of a Supplement is Book 4818 Page 604

1. Borrower
2. Lender

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## SURVEY – S05

TN Codes relevant TCA 13-3-402 (c), & TCA 13-4-302 (c)

2/27/2007

(Bad example: 8416-701)

No prepared by needed

No acknowledgement needed

Survey drawing must be on paper that is letter or legal sized. (If the original survey drawing is bigger, it must be cut uniformly into pages that are letter or legal size before submitting them for recording - the responsibility of the cut sizes lies with the surveyor).

Must have ORIGINAL personal signature & seal of the licensed registered land surveyor

Certification originally signed by the licensed & registered surveyor with the following wording must be on each survey:

I hereby certify that this survey is not a plat of subdivision as defined at TCA 13-4-301, does not create any new streets or roads, requires no public utility improvements, requires no new sanitary sewer lines, & does not correct any drawing of property that has been originally subdivided within a subdivision which has a recorded plat in the Register's Office.

Must have name of current property owner

Must have map parcel #s

Must have amt of acreage involved

1. Owner & Name of Survey
2. SURVEY

Must have prior references

If it's a CORRECTIVE survey, "type of" will be CORR

If it's a REVISED survey, skip "type of"

### **Questionable drawings that may be refused:**

Any drawing which is associated with subdivided lots that have a recorded subdivision plat

Any drawing that subdivides 2 lots into parcels that are less than 5 acres

Any drawing that has a purpose of division for selling or developing

Any survey submitted for recording that is not legible

Any drawing that has no licensed registered surveyor original signature or seal

The name, address & phone number of the licensed registered surveyor must be typed on the survey submitted for recording

Plats that must follow the approval process through the planning commission etc. have the following:

- 1) division of a tract into 2 or more lots
- 2) those lots are less than 5 acres
- 3) the purpose of the division is for selling or developing
- 4) re-subdivision plats are included
- 5) new street or utility construction is required

**FEE: \$15 + \$2 (per single survey)  
\$15 per pg. + \$2 (if multi-page)**

# NOTICE OF STATE TAX LIEN – T01

(TAX ENFORCEMENT – DEPT. OF REVENUE)

- ◆ No prepared by needed
- ◆ No acknowledgement needed
- ◆ No original signature needed
- ◆ Must have Entity ID #
- ◆ No book & page needed
- ◆ Must have a “sign date” - (example: “witness my hand at Nashville TN on the 31<sup>st</sup> day of October, 2007”)

1. TENNESSEE STATE OF (No abbreviations)
2. TAXPAYER (OR TAXPAYERS) NAME

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **TRUST – T03**

(Establishing A Trust)

- ◆ Must have prepared by
- ◆ Must be acknowledged

1. Person/persons establishing the trust AND the trust name
2. All trustees – (AP code is T, and TR goes after the last name)

- ◆ If the person establishing the trust is also a trustee – they would be a 1 and a 2

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## UCC – U01

(A new UCC)

- ◆ Must be filed with the Secretary of State in Nashville, TN - (615) 741-3276
- ◆ If asked to record as a courtesy, add REQUESTED TO FILE in the “notes” field (in HCRS). \*See article below regarding the validity of this filing.
- ◆ If recording as a courtesy, it must have the Debtor, Secured Party, a list of equipment & a max statement.
- ◆ No signature, no prepared by, no acknowledgement, no book & page reference, & no legal description needed.

1. Debtor
2. Secured Party

Beginning July 1, 2001 the UCC filings were required to be centrally filed with the Secretary of State in Nashville, TN. The fixture/financing statement filings (those that affect real estate) continue to be filed with the Register’s Offices. See information and forms on their web-site:

The Register may file any UCC’s as a courtesy, if asked to do so. The validity of the filing may be affected when not recorded with the proper filing office.

If a UCC filing was recorded in a particular Register’s Office, prior to July 1, 2001 the following could be stated:

- A termination may be filed to clear the record.
- If a continuation or amendment is sent to be filed in the Register’s office because the original document was recorded there, the Register may file it as a courtesy, if asked. A new UCC citing the Book and Page & County where the original document was filed should be filed with the Secretary of State (for detailed questions, please speak with the Secretary of State’s Office). Then simultaneously, a continuation or amendment may be filed there also. Any filings of continuations or amendments on regular UCC’s in the local Register’s office after July 1, 2001, could affect the validity of that filing.

\$13.00

\$ 2.00 data processing

**\$15.00 FOR EACH DEBTOR**

And...

Mortgage amount multiplied by .00115

- ◆ If it’s a multi-functioning document, it’s \$5.00 for each ADDITIONAL function.

## UCC TERMINATION– U02

- ◆ Termination must be checked (if not, it would be a U01 and must go through the Secretary of State)
  - ◆ Look up book & page to be sure it was a UCC - Write the instrument # on the document, so it won't have to be looked up again while being proofed. Both the Book & Page AND the instrument # should be on the document. (ONLY INDEX THE BOOK & PAGE IN HCRS)
  - ◆ “Type of” will be TERMIN
  - ◆ No prepared by needed
  - ◆ No acknowledgement needed
  - ◆ No max statement needed
  - ◆ No legal description needed
- 
1. Secured Party
  2. Debtor
- 
- ◆ Look for “Name of Record Owner” – It could be different, & will need to be indexed & charged for.

\$13.00

\$ 2.00 data processing

**\$15.00 FOR EACH DEBTOR**

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## WAIVER – W01

- ◆ Must have prepared by, return to name & address
- ◆ Must be acknowledged
- ◆ Index legal description or address (if given)
- ◆ Must have a book & page reference

1. Who signs it
2. Who it's in favor of

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.



## **WILL – W02**

- ◆ Must be a certified copy that has been through the court. We can't record it unless it's been through probate.
- ◆ No prepared by needed
- ◆ No acknowledgement needed

1. Deceased (person who drew up the will)
2. WILL

\$5.00 per page (If 1 page, it's \$10.00)  
\$2.00 data processing fee

- ◆ If it's a multi-functioning document, it's \$5.00 for each ADDITIONAL function.

## **DISCLAIMER**

**The intent of this manual is solely to be used as a training tool. Any company or person is welcome to use this manual as a guide for checking documents. Please note that the original documents presented for recording would be subject to a Register's recording clerk checking those documents.**

**It is always wise to have a licensed Tennessee attorney prepare any real estate documents that will be filed in the Hamilton County Register's office.**

**The Register's office may not prepare documents or perform title searches, as we are neither bonded or licensed attorneys.**

**It is our hope that this guide will help you avoid rejected documents, by reflecting the proper information required for documents to be recorded.**

**PAM HURST, REGISTER**